

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY**

Caption in Compliance with D.N.J. LBR 9004-2(c)

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S. Daniel Hutchison, Esquire
Attorney for Debtor(s)



Order Filed on November 14, 2017
by Clerk
U.S. Bankruptcy Court
District of New Jersey

In Re:

Case No: 17-16528

Brian S. Perkins

Hearing Date:

Judge: Michael B. Kaplan

ORDER APPROVING LOAN MODIFICATION

The relief set forth on the following pages, numbered two (2) through three (3) is
hereby ORDERED.

DATED: November 14, 2017

A handwritten signature of Michael B. Kaplan in black ink, written over a horizontal line.
Honorable Michael B. Kaplan
United States Bankruptcy Judge

Upon consideration of the debtors application for an Order to approve the proposed terms of Rushmore Loan Management Services LLC loan modification; it is hereby

ORDERED that the Court hereby authorizes secured creditor and debtors to enter into a loan modification; and

IT IS FURTHER ORDERED that in the event a loan modification is completed and the pre-petition arrears are capitalized into the loan, secured creditor shall withdraw its Proof of Claim or amend the Proof of Claim accordingly within thirty (30) days from the date of this Order; and

IT IS FURTHER ORDERED that the Chapter 13 Trustee shall suspend disbursements to secured creditor pending completion of the loan modification and all money that would otherwise be paid to the secured creditor be held until the claim is withdrawn or the trustee is notified by secured creditor that the modification was not consummated; and

IT IS FURTHER ORDERED that in the event the modification is not consummated; the secured creditor shall notify the trustee and debtors attorney of same. Any money that was held by the trustee pending the completion of the modification shall then be paid to secured creditor; and

IT IS FURTHER ORDERED that in the event the Proof of Claim is withdrawn, the trustee may disburse the funds being held pursuant to the this Order to other creditors in accordance with the provisions of the confirmed plan; and

IT IS FURTHER ORDERED that debtors shall file an amended Schedule J and modified Plan within twenty (20) days of this Order; and

IT IS FURTHER ORDERED that communication and/or negotiations between the debtors and mortgagees/mortgage servicers about loan modification shall not be deemed as a violation of the automatic stay; and any such communication or negotiation shall not be used by either party against the other in any subsequent litigation.

Certificate of Notice Page 4 of 4
United States Bankruptcy Court
District of New Jersey

In re:
Brian S. Perkins
Debtor

Case No. 17-16528-MBK
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-3

User: admin
Form ID: pdf903

Page 1 of 1
Total Noticed: 1

Date Rcvd: Nov 15, 2017

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Nov 17, 2017.

db +Brian S. Perkins, 210 Cooper Street, Beverly, NJ 08010-1210

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
NONE. TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE. TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Nov 17, 2017

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on November 15, 2017 at the address(es) listed below:

Albert Russo docs@russotrustee.com

Denise E. Carlon on behalf of Creditor WILMINGTON SAVINGS FUND SOCIETY, FSB, D/B/A CHRISTIANA TRUST, AS TRUSTEE FOR THE NORMANDY MORTGAGE LOAN TRUST, SERIES 2015-1 dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.com

Denise E. Carlon on behalf of Creditor Wilmington Savings Fund Society, FSB, d/b/a Christiana Trust, as trustee for Normandy Mortgage Loan Trust, Series 2015-1 dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.com

Linda S. Fossi on behalf of Creditor US Bank Cust for PC5 Sterling lfossi@zeitlawfirm.com, gzeit@zeitlawfirm.com;cdillon@zeitlawfirm.com;rzeit@zeitlawfirm.com

S. Daniel Hutchison on behalf of Debtor Brian S. Perkins sdhteamlaw@outlook.com, backupcourt@outlook.com;sdhlawecf@gmail.com;sdhlawparal@outlook.com;r39026@notify.bestcase.com
U.S. Trustee USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 6